

## MEMORANDUM

To: Suzanne L. Smith  
Assistant City Attorney, City of Seattle

From: Brian T. Grogan

Client No. 46687.7

Date: May 18, 2015

Re: Qwest Broadband Services, Inc. – Legal Qualifications

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Pursuant to the City's request, we have herein provided responses to the below questions related to the legal qualifications of Qwest Broadband Services, Inc. (also referred to as "QBSI").

1. *Confirmation that QBSI is properly formed and authorized to do business in Washington State.*
2. *Confirmation that no adverse administrative, civil or criminal action has been taken against QBSI over past ten years.*
3. *Provide documentation that supports these confirmations, to be used as exhibits in the City Staff Report.*

### **Replies**

1. *Confirmation that QBSI is properly formed and authorized to do business in Washington State.*

The State of Delaware Division of Corporations' Entity Details shows that Qwest Broadband Services, Inc. was incorporated on May 10, 1999 and is in good standing as of May 13, 2015. See Entity Details from the Delaware Division of Corporations attached hereto as Exhibit A.

The State of Washington Corporations Registration Detail shows that Qwest Broadband Services, Inc. is registered as an active corporation in good standing with the State of Washington through July 31, 2015. See Registration Details attached hereto as Exhibit B.

Qwest Broadband Services, Inc. does not have any financing statements or non-UCC liens filed in the State of Delaware or Washington – Delaware Certificate and Washington State Department of Licensing search report attached hereto as Exhibit C.

King County Judgment Search results attached hereto as Exhibit D.

2. *Confirmation no adverse administrative, civil or criminal action has been taken against QBSI over past ten years.*

Qwest Broadband Services, Inc. has been a party to a number of civil cases, including all of the cases listed on the PACER Case Locator summary for periods from formation to May 13, 2015. Qwest Broadband Services, Inc. was also a party in a bankruptcy matter that was dismissed on January 29, 2002. Qwest Broadband Services, Inc. is party to an active patent infringement case entitled *United Access Technologies, LLC v. CenturyTel Broadband Services, LLC, et al.* in the State of Delaware. See PACER Case Locator Summary and the active Case Summary attached hereto as Exhibit E.

3. *Provide documentation that supports these confirmations, to be used as exhibits in the City Staff Report.*

See attached Exhibits A-E.

If you have any questions regarding the above, please do not hesitate to let me know.

EXHIBIT A  
DELAWARE DIVISION OF CORPORATIONS' ENTITY DETAILS

[Privacy Policy](#) [Frequently Asked Questions](#) [View Search Results](#) [Summary of Charges](#) [Logout](#)

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Entity Details

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File Number: **3040574** Incorporation Date / **05/10/1999**  
Formation Date: (mm/dd/yyyy)

Entity Name: **QWEST BROADBAND SERVICES, INC.**

Entity Kind: **CORPORATION** Entity Type: **GENERAL**

Residency: **DOMESTIC** State: **DE**

Status: **GOOD STANDING** Status Date: **05/10/1999**

**TAX INFORMATION**

Last Annual Report Filed: **2014** Tax Due: **\$ 0.00**

Annual Tax Assessment: **\$ 175.00** Total Authorized Shares: **100**

**REGISTERED AGENT INFORMATION**

Name: **THE CORPORATION TRUST COMPANY**

Address: **CORPORATION TRUST CENTER 1209 ORANGE ST**

City: **WILMINGTON** County: **NEW CASTLE**

State: **DE** Postal Code: **19801**

Phone: **(302)658-7581**

**FILING HISTORY (Last 5 Filings)**

<u>Seq</u>	<u>Document Code</u>	<u>Description</u>	<u>No. of pages</u>	<u>Filing Date</u> (mm/dd/yyyy)	<u>Filing Time</u>	<u>Effective Date</u> (mm/dd/yyyy)
1	0240	Amendment; Domestic	1	07/07/2000	17:00	07/07/2000
	<b>Former Name:</b>	U S WEST BROADBAND SERVICES, INC.				
2	0250S	Merger; Survivor	2	02/28/2000	13:00	03/01/2000
3	0250S	Merger; Survivor	2	12/29/1999	16:30	12/31/1999
4	0240	Amendment; Domestic	1	06/01/1999	16:30	06/01/1999
	<b>Former Name:</b>	U S WEST CABLE VENTURES, INC.				
5	0102S	Incorp Delaware Stock Co.	2	05/10/1999	12:30	05/10/1999

[Back to Entity Search](#)

To contact a Delaware Online Agent [click here](#).

**EXHIBIT B**  
**STATE OF WASHINGTON CORPORATIONS REGISTRATION DETAIL**

**QWEST BROADBAND SERVICES, INC.**

UBI Number	601966948
Category	REG
Profit/Nonprofit	Profit
Active/Inactive	Active
State Of Incorporation	DE
WA Filing Date	07/12/1999
Expiration Date	07/31/2015
Inactive Date	
Duration	Perpetual
Registered Agent Information	
Agent Name	CT CORPORATION SYSTEM
Address	505 UNION AVE SE STE120
City	OLYMPIA
State	WA
ZIP	98501
Special Address Information	
Address	
City	
State	
Zip	

**Governing Persons**

Title	Name	Address
Director	EWING , R STEWART	100 CENTURYLINK DRIVE MONROE , LA 71203
President,Chairman	POST , GLEN	100 CENTURYLINK DRIVE MONROE , LA 71203
Secretary	BUCHART , KAY	100 CENTURYLINK DRIVE MONROE , LA 71203
Secretary	INABNETT , CARRICK	100 CENTURYLINK DRIVE MONROE , LA 71203
Vice President	PUCKETT , KAREN	100 CENTURYLINK DRIVE MONROE , LA 71203
Vice President	EWING , R STEWART	100 CENTURYLINK DRIVE MONROE , LA 71203
Vice President,Director	GOFF , STACEY	100 CENTURYLINK DRIVE MONROE , LA 71203
Vice President	COLE , DAVID	100 CENTURYLINK DRIVE MONROE , LA 71203
Vice President,Treasurer	WILLIAM , GLYNN	100 CENTURYLINK DRIVE MONROE , LA 71203

EXHIBIT C  
DELAWARE AND WASHINGTON STATE DEPARTMENT OF LICENSING SEARCH REPORT

*Delaware*

PAGE 1

*The First State*

CERTIFICATE

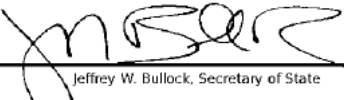
SEARCHED MAY 13, 2015, AT 5:25 P.M.  
FOR DEBTOR "QWEST BROADBAND SERVICES"

THE UNDERSIGNED FILING OFFICER HEREBY CERTIFIES THAT THERE  
ARE NO PRESENTLY EFFECTIVE FINANCING STATEMENTS, LAPSED  
FINANCING STATEMENTS, FEDERAL TAX LIENS OR UTILITY SECURITY  
INSTRUMENTS FILED IN THIS OFFICE WHICH NAME THE ABOVE DEBTOR, AS  
OF APRIL 24, 2015 AT 11:59 P.M.



20152058336UCXL

150671749

  
Jeffrey W. Bullock, Secretary of State

AUTHENTICATION: 2375567

DATE: 05-13-15

Washington State Department of Licensing  
Uniform Commercial Code  
Debtor Information Search Report



**Search number:** 2015-133-0857-1S

**Name as provided:**

Organization: QWEST BROADBAND SERVICES (Debtor)

**Name searched:**

Organization: QWESTBROADBANDSERVICES

**Lien type searched:** All

**Lien status searched:** Unlapsed

**Search limited by:**

**Search logic used:** Standard

**Report:** 5/13/2015 2:10:17 PM

**Through date:** 5/12/2015

**Copies:**

**Certification:**

The filing office certifies that the attached list (and copies, if any) is a true and exact representation of all financing statements and non-UCC liens for the name searched, as filed with the Department of Licensing, Uniform Commercial Code Program, as of the through date shown above. But a limited search may not reveal all records of the name searched and the searcher bears the risk of relying on such a search.



*Pat Kohler*  
Pat Kohler, Director, Department of Licensing

As of the Certified Through Date no records that match the search request shown above were on file in the Department of Licensing.

EXHIBIT D  
KING COUNTY JUDGMENT SEARCH

05/14/15 12:03:26  
DC1023MI Judgment/Dispo Inquiry (CVJ) KING COUNTY DISTRICT PUB 1 of 1  
Case: 84-006106 SC StID: \_\_\_\_\_  
Name: QWEST BROADBAND/CT CORP SYSTEM NmCd: CV  
Case: 84-006106 SC Case dispo: Date:  
Appeal dates Begin: End :  
----- Judgment 1 ----- (PF3 for Parties)  
Judgment type : TJ Trial Judgment Date: 04 11 2008 Judge: DME  
Judgment dispo: Date:  
Judgment: 155.14 Amount paid: Balance: 155.14  
-----Item----- Amt to date -----Item----- Amt to date -----Item----- Amt to date  
Principal 155.14 Handling Witness fee  
Interest Collection Interpreter  
Reas aty fe Stat aty fe Jury fee  
Filing Fee Stat damage Other  
Service Notary fee  
-----For-----Against-----  
PLA 1 ALMEIDA, TED DEF 1 QWEST BROADBAND/CT CORP SYSTEM

05/14/15 12:03:31  
DC1022MI Judgment/Dispo Parties Inquiry KING COUNTY DISTRICT PUB 1 of 1  
Case: 84-006106 SC Csh: Pty: DEF 1 StID: \_\_\_\_\_  
Name: QWEST BROADBAND/CT CORP SYSTEM NmCd: CV  
(PF3 for Judgment)  
Case: 84-006106 SC Case dispo: Date:  
Appeal dates Begin: End :  
----- Judgment 1 -----  
Judgment type : TJ Trial Judgment Date: 04 11 2008 Judge: DME  
Judgment dispo: Date:  
\* -----Judgment Participant-----Attorney-----  
F PLA 1 ALMEIDA, TED  
A DEF 1 QWEST BROADBAND/CT CORP SYSTEM

05/14/15 12:02:46  
DC1001MI Civil Case Filing Inquiry (CIV) KING COUNTY DISTRICT PUB 1 of 1  
Case: 84-006106 SC StID: \_\_\_\_\_  
Name: QWEST BROADBAND/CT CORP SYSTEM NmCd: CV  
Case: 84-006106 SC File date: 02 21 2008 Cause: GS Goods and Services  
Title : TED ALMEIDA VS QWEST BROADBAND/CT CORPORATION SYSTEM  
:  
Amt of suit: 249.79  
-----Parties-----NmCd-----Links-----  
DEF 1 QWEST BROADBAND/CT CORP SYSTEM CV  
PLA 1 ALMEIDA, TED CV



D0071I More records available.

DD1000PI

05/14/15 12:02:52

DD1001MI Case Docket Inquiry (CDK) KING COUNTY DISTRICT PUB  
Case: 84-006106 SC StID: \_\_\_\_\_  
Name: QWEST BROADBAND/CT CORP SYSTEM NmCd: CV  
Name/Title: TED ALMEIDA VS QWEST BROADBAND/CT CORPORATION SYSTEM

Case: 84-006106 SC Small Claim

S 02 21 2008 Case Filed on 02/21/2008 CHD  
S PLA 1 ALMEIDA, TED Added as Participant CHD  
S DEF 1 QWEST BROADBAND/CT CORP SYSTEM Added as Participant CHD  
S NJT SCN Set for 04/11/2008 08:45 AM CHD  
S in Room KE1 with Judge DME CHD  
S 8052104084 SML CLMS FIL FE Received 14.00 CHD  
S Paid by: TED ALMEIDA CHD  
S 8052104084 KCD DIS RES SC Received 11.00 CHD  
S Paid by: TED ALMEIDA CHD  
S 03 07 2008 NJT SCN on 04/11/2008 08:45 AM CLE  
S Changed to Room KE4 with Judge DME CLE  
04 11 2008 KE1 8:50 JUDGE EIDE CER  
PLA PRESENT, SWORN AND TESTIFIES CER  
ALESIA GRAHAM PRESENT FOR DEF, COURT DIRECTS DEF TO HAVE A CER

D0031I End of Docket

DD1000PI

05/14/15 12:02:54

DD1001MI Case Docket Inquiry (CDK) KING COUNTY DISTRICT PUB  
Case: 84-006106 SC StID: \_\_\_\_\_  
Name: QWEST BROADBAND/CT CORP SYSTEM NmCd: CV  
Name/Title: TED ALMEIDA VS QWEST BROADBAND/CT CORPORATION SYSTEM

Case: 84-006106 SC Small Claim

04 11 2008 LETTER OF AUTHORITY FAXED TO THE COURT TODAY CER  
DEF SWORN AND TESTIFIES CER  
PLA EXHIBIT #1 - QWEST BILL, ADMITTED CER  
DEF EXHIBIT #1 - TERMS OF TERMINATION, ADMITTED CER  
S Judgment 1 Trial Judgment entered by Judge DME CER  
S Principal : 155.14 CER  
S Total Judgment Amount 155.14 CER  
S Balance Due 155.14 CER  
S for PLA 1 ALMEIDA, TED CER  
S agnst DEF 1 QWEST BROADBAND/CT CORP SYSTEM CER  
S NJT SCN: Held CER  
EXHIBITS PLACED IN EXHIBIT LOCKER CER  
EXHIBIT SCANNING SHEET - LIST OF EXHIBITS (DCORAUTO) ECR  
04 04 2011 RETENTION PERIOD EXPIRED, EXHIBITS DESTROYED MEB

# EXHIBIT E

## PACER CASE LOCATOR SUMMARY



All Court Types Party Search  
Wed May 13 10:14:15 2015  
16 records found

User: mb0066  
Client: 46687.7  
Search: All Court Types Party Search Name Qwest Broadband Services All Courts Page: 1

### Bankruptcy Results

Party Name ▼	Court	Case	Ch	Date Filed	Date Closed	Disposition
1 Qwest Broadband Services Inc (dft)	wawbke	<u>2-01-ap-01499</u>		09/22/2001	03/15/2002	Dismissed or Settled Without Entry of Judgment 01/29/2002
Wood and Qwest Advanced Technologies Inc						

### Civil Results

Party Name ▼	Court	Case	NOS	Date Filed	Date Closed
2 Qwest Broadband Services, Inc. (pla)	codce	<u>1-2006-cv-00542</u>	890	03/10/2000	07/20/2001
Qwest Broadband Svcs, et al v. City of Boulder					
3 Qwest Broadband Services, Inc. (dft)	codce	<u>1-2008-cv-02848</u>	190	12/07/2008	02/01/2013
Grosvenor v. Qwest Corporation et al					
4 Qwest Broadband Services, Inc. (dft)	codce	<u>1-2008-cv-01840</u>	370	06/04/2008	02/27/2013
Vernon et al v. Qwest Communications International Inc. et al					
5 Qwest Broadband Services Inc. (dft)	dedce	<u>1-2011-cv-00339</u>	830	04/15/2011	
United Access Technologies LLC v. CenturyTel Broadband Services LLC et al					
6 Qwest Broadband Services Inc (cc)	cadce	<u>2-2007-cv-02134</u>	830	04/02/2007	06/21/2013
Ronald A Katz Technology Licensing L P v. Time Warner Cable Inc					
7 Qwest Broadband Services Inc (dft)	wawdce	<u>2-2008-cv-01516</u>	370	10/15/2008	07/16/2009
Vernon et al v. Qwest Communications International Inc et al					
8 Qwest Broadband Services Inc (cc)	cadce	<u>2-2007-ml-01816</u>	830	03/30/2007	12/23/2014
In re Katz Interactive Call Processing Patent Litigation					
9 Qwest Broadband Services Inc (dft)	cadce	<u>2-2007-ml-01816</u>	830	03/30/2007	12/23/2014
In re Katz Interactive Call Processing Patent Litigation					
10 Qwest Broadband Services Inc. (dft)	dedce	<u>1-2006-cv-00546</u>	830	09/01/2006	04/11/2007
Ronald A. Katz Technology Licensing, L.P. v. Time Warner Cable Inc. et al					
11 Qwest Broadband Services Inc (dft)	cadce	<u>2-2007-cv-02134</u>	830	04/02/2007	06/21/2013
Ronald A Katz Technology Licensing L P v. Time Warner Cable Inc					
12 Qwest Broadband Services Inc. (cc)	dedce	<u>1-2006-cv-00546</u>	830	09/01/2006	04/11/2007
Ronald A. Katz Technology Licensing, L.P. v. Time Warner Cable Inc. et al					
13 Qwest Broadband Services Incorporated (dft)	azdce	<u>4-2011-cv-00380</u>	360	06/27/2011	01/10/2012
Grabowski et al v. Qwest Communications Company LLC et al					

### Appellate Results

Party Name ▼	Court	Case	NOS	Date Filed	Date Closed
14 Qwest Broadband Services, Inc. (pty)	10cae	<u>01-1399</u>	3890	08/21/2001	09/20/2001
Qwest Broadband v. City of Boulder					
15 Qwest Broadband Services, Inc. (pty)	10cae	<u>12-1085</u>	4190	03/20/2012	08/14/2013
Grosvenor v. Qwest Corporation, et al					
16 Qwest Broadband Services, Inc. (pty)	10cae	<u>13-0701</u>	1	03/11/2013	05/01/2013
Vernon, et al v. Qwest Communications, et al					

User: mb0066	Receipt 05/13/2015 10:14:17 169211578
Client: 46687.7	
Description: All Court Types Party Search	
Name: Qwest Broadband Services All Courts Page: 1	
Pages: 1 (50.10)	

**1:11-cv-00339-LPS** United Access Technologies LLC v. CenturyTel Broadband Services LLC et al  
Leonard P. Stark, presiding  
**Date filed:** 04/15/2011  
**Date of last filing:** 05/06/2015

## Case Summary

<b>Office:</b> Wilmington	<b>Filed:</b> 04/15/2011	
<b>Jury Demand:</b> Plaintiff	<b>Demand:</b>	
<b>Nature of Suit:</b> 830	<b>Cause:</b> 35:271 Patent Infringement	
<b>Jurisdiction:</b> Federal Question	<b>Disposition:</b>	
<b>County:</b> XX US, Outside State	<b>Terminated:</b>	
<b>Origin:</b> 4	<b>Reopened:</b> 03/25/2015	
<b>Lead Case:</b>	None	
<b>Related Case:</b>	None	<b>Other Court Case:</b> 14-1347[]
<b>Defendant Custody Status:</b>		
<b>Flags:</b> MEDIATION-CJB,PATENT		
<b>Plaintiff:</b> United Access Technologies LLC	<b>represented by</b> Stamatios Stamoulis	<b>Phone:</b> (302) 999-1540 <b>Email:</b> stamoulis@swdelaw.com
<b>Plaintiff:</b> United Access Technologies LLC	<b>represented by</b> Richard Charles Weinblatt	<b>Phone:</b> 302-999-1540 <b>Email:</b> weinblatt@swdelaw.com
<b>Defendant:</b> CenturyTel Broadband Services LLC	<b>represented by</b> Gary William Lipkin	<b>Phone:</b> (302)657-4903 <b>Fax:</b> (302) 657-4901 <b>Email:</b> glipkin@eckertseamans.com
<b>Defendant:</b> CenturyTel Broadband Services LLC	<b>represented by</b> Matt Neiderman (Designation Retained)	<b>Phone:</b> (302) 657-4920 <b>Email:</b> mneiderman@duanemorris.com
<b>Defendant:</b> CenturyTel Broadband Services LLC	<b>represented by</b> Benjamin A. Smyth	<b>Phone:</b> 302-984-6300 <b>Email:</b> bsmyth@mccarter.com
<b>Defendant:</b> Qwest Corporation	<b>represented by</b> Gary William Lipkin	<b>Phone:</b> (302)657-4903 <b>Fax:</b> (302) 657-4901 <b>Email:</b> glipkin@eckertseamans.com
<b>Defendant:</b> Qwest Corporation	<b>represented by</b> Matt Neiderman (Designation Retained)	<b>Phone:</b> (302) 657-4920 <b>Email:</b> mneiderman@duanemorris.com
<b>Defendant:</b> Qwest Corporation	<b>represented by</b> Benjamin A. Smyth	<b>Phone:</b> 302-984-6300 <b>Email:</b> bsmyth@mccarter.com
<b>Counter Claimant:</b> Qwest Corporation	<b>represented by</b> Matt Neiderman (Designation Retained)	<b>Phone:</b> (302) 657-4920 <b>Email:</b> mneiderman@duanemorris.com
<b>Counter Claimant:</b> Qwest Corporation	<b>represented by</b> Benjamin A. Smyth	<b>Phone:</b> 302-984-6300 <b>Email:</b> bsmyth@mccarter.com
<b>Counter Claimant:</b> CenturyTel Broadband Services LLC	<b>represented by</b> Matt Neiderman (Designation Retained)	<b>Phone:</b> (302) 657-4920 <b>Email:</b> mneiderman@duanemorris.com
<b>Counter Claimant:</b> CenturyTel Broadband Services LLC	<b>represented by</b> Benjamin A. Smyth	<b>Phone:</b> 302-984-6300 <b>Email:</b> bsmyth@mccarter.com

**Counter Defendant:**  
United Access  
Technologies LLC

**represented by** Stamatios Stamoulis

**Phone:**(302) 999-1540  
**Email:** stamoulis@swdelaw.com

**Counter Defendant:**  
United Access  
Technologies LLC

**represented by** Richard Charles  
Weinblatt

**Phone:**302-999-1540  
**Email:** weinblatt@swdelaw.com

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PACER Service Center			
Transaction Receipt			
05/13/2015 11:15:56			
PACER Login:	mb0066:2592544:0	Client Code:	46687.7
Description:	Case Summary	Search Criteria:	1:11-cv-00339-LPS
Billable Pages:	1	Cost:	0.10